

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

TODD DAMASE OUELLETTE,

CV 10-133-M-DWM-JCL

Plaintiff,

vs.

ORDER

VIACOM,

Defendant.

Plaintiff Todd Ouellette has filed a “Subpoena Request,” a “‘Letter of Instruction’ Request,” and a “‘Service of Substitution’ Request.” Review of those documents reflects that Ouellette is requesting that the Court serve subpoenas under Fed. R. Civ. P. 45 on YouTube, LLC in San Bruno, California. Ouellette also requests the Court issue an order to the Sheriff of San Mateo County, California, directing the Sheriff to serve Ouellette’s subpoenas without imposing fees on Ouellette for such service. Alternatively, Ouellette seeks to have the subpoenas served by certified mail.

The Court construes Ouellette’s pro se requests as a motion for service of his subpoenas under authority of 28 U.S.C. § 1915(d). The subpoenas requested, however, fall outside the powers granted this Court under Fed. R. Civ. P. 45(b)(2)

to issue subpoenas. Therefore, IT IS HEREBY ORDERED that Ouellette's requests for service of subpoenas are DENIED.

DATED this 10th day of February, 2012.

/s/ Jeremiah C. Lynch

Jeremiah C. Lynch

United States Magistrate Judge